

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**UNITED STATES COMMODITY  
FUTURES TRADING COMMISSION,  
Plaintiff,**

**V.**

**ERIC MONCADA; BES CAPITAL LLC;  
and SERDIKA LLC.**

**Defendant(s).**

Civil Action No. 12-cv-8791  
(CM) (GWG)

**MOTION FOR WITHDRAWAL OF  
KENNETH W. McCracken AS COUNSEL FOR PLAINTIFF**

Pursuant to Local Rule 1.4, Plaintiff U.S. Commodity Futures Trading Commission (“CFTC”) hereby moves to withdraw Kenneth McCracken as counsel for Plaintiff in the above-captioned action. Mr. McCracken’s employment with the CFTC ends on August 18, 2014 and therefore he will no longer be working on this matter. Plaintiff will continue to be represented in this matter by Rick Glaser, Andrew Ridenour, Elizabeth Davis, and Jennifer Diamond who remain counsel of record for Plaintiff in this matter. Accordingly, Plaintiff requests that the Court grant this motion and withdraw Mr. McCracken as counsel from this action.

Dated: August 18, 2014

/s/ Kenneth W. McCracken

Kenneth McCracken (Missouri Bar No. 44049)  
Richard Glaser (Member, New York State Bar  
and U.S. District Court for the Southern District  
of New York Bar No. RG8652)

Andrew Ridenour (D.C. Bar No. 501628)

Elizabeth L. Davis (D.C. Bar No. 465215)

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 18, 2014, I electronically filed a copy of the foregoing Motion for Withdrawal of Kenneth W. McCracken as Counsel for Plaintiff using the CM/ECF system and via e-mail.

/s/ Kenneth W. McCracken

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Richard Glaser (Member, New York State Bar  
and U.S. District Court for the Southern District  
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